**THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY**

**WRIT PETITION No.7378 of 2007**

**Date: 23.04.2007**

Between:

T.Mahadeva Singh and others.

....Petitioners

and

The Deputy Registrar/The Divisional Cooperative Officer,
Charminar Division, Hyderabad and others.

....Respondents

**O R D E R:**

Petitioners are the members of the Postal Audit Office Cooperative Housing Society Limited, Charminar Division, Hyderabad, the third respondent herein. The elections to the managing committee of the society were held for the last time on 10.11.2000 and the term of that committee expired on 01.11.2005. For some time, persons-in-charge committee with the members of the previous managing committee was continued and thereafter, the second respondent was appointed. The grievance of the petitioners is that the first respondent is not taking any steps to conduct elections to the managing committee of the society and in the meanwhile, the persons-in-charge are acting detrimental to the interest of the society and its members. They seek directions to the respondents to conduct elections to the managing committee at the earliest.

Heard the learned counsel for the petitioners and the learned Government Pleader for Cooperation.

Whatever be the justification for the Government in delaying the elections for the managing committees of the societies funded by it, the Cooperative Housing Societies cannot be kept under the management of persons-in-charge for a long time. Each decision, particularly in the matter of allotment of plots would have its own

bearing and it would be difficult to undo any wrongs that may have been committed by the persons-in-charge. Rights accrue to the third parties on account of such transactions. All this uncertainty can be avoided by conducting elections on time. The delay of almost one and half year cannot be explained, particularly when the elections to various agencies have been conducted by the State during this period.

Hence, the writ petition is disposed of and the respondents are directed to take such steps as are necessary in accordance with the A.P. Cooperatives Societies Act and the Rules made thereunder to ensure that the managing committee to the society is elected peremptorily by the end of June, 2007. Till such time, the second respondent shall not take any policy decisions, such as allotment of plots. There shall be no order as to costs.

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23.04.2007

kdl